

design or administration of the prize competitions; and

(C) award not more than \$5,000,000, in the aggregate, to the winner or winners of the prize competitions.

(d) **CRITERIA.**—Not later than 180 days after the date on which funds for prize competitions are made available pursuant to this section, the Commission shall publish a technical paper on spectrum efficiency providing criteria that may be used for the design of the prize competitions.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 20. WIRELESS TELECOMMUNICATIONS TAX AND FEE COLLECTION FAIRNESS.

(a) **SHORT TITLE.**—This section may be cited as the “Wireless Telecommunications Tax and Fee Collection Fairness Act”.

(b) **DEFINITIONS.**—In this section:

(1) **FINANCIAL TRANSACTION.**—The term “financial transaction” means a transaction in which the purchaser or user of a wireless telecommunications service upon whom a tax, fee, or surcharge is imposed gives cash, credit, or any other exchange of monetary value or consideration to the person who is required to collect or remit the tax, fee, or surcharge.

(2) **LOCAL JURISDICTION.**—The term “local jurisdiction” means a political subdivision of a State.

(3) **STATE.**—The term “State” means any of the several States, the District of Columbia, and any territory or possession of the United States.

(4) **STATE OR LOCAL JURISDICTION.**—The term “State or local jurisdiction” includes any governmental entity or person acting on behalf of a State or local jurisdiction that has the authority to assess, impose, levy, or collect taxes or fees.

(5) **WIRELESS TELECOMMUNICATIONS SERVICE.**—The term “wireless telecommunications service” means a commercial mobile radio service, as defined in section 20.3 of title 47, Code of Federal Regulations, or any successor thereto.

(c) **FINANCIAL TRANSACTION REQUIREMENT.**—

(1) **IN GENERAL.**—A State, or a local jurisdiction of a State, may not require a person to collect from, or remit on behalf of, any other person a State or local tax, fee, or surcharge imposed on a purchaser or user with respect to the purchase or use of any wireless telecommunications service within the State unless the collection or remittance is in connection with a financial transaction.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to affect the right of a State or local jurisdiction to require the collection of any tax, fee, or surcharge in connection with a financial transaction.

(d) **ENFORCEMENT.**—

(1) **PRIVATE RIGHT OF ACTION.**—Any person aggrieved by a violation of subsection (c) may bring a civil action in an appropriate district court of the United States for equitable relief in accordance with paragraph (2) of this subsection.

(2) **JURISDICTION OF DISTRICT COURTS.**—Notwithstanding section 1341 of title 28, United States Code, or the constitution or laws of any State, the district courts of the United States shall have jurisdiction, without regard to the amount in controversy or citizenship of the parties, to grant such mandatory or prohibitive injunctive relief, interim equitable relief, and declaratory judgments as may be necessary to prevent, restrain, or terminate any acts in violation of subsection (c).

SEC. 21. RULES OF CONSTRUCTION.

(a) **RANGES OF FREQUENCIES.**—Each range of frequencies described in this Act shall be construed to be inclusive of the upper and lower frequencies in the range.

(b) **ASSESSMENT OF ELECTROMAGNETIC SPECTRUM REALLOCATION.**—Nothing in this Act shall be construed to affect any requirement under section 156 of the National Telecommunications

and Information Administration Organization Act (47 U.S.C. 921 note), as added by section 1062(a) of the National Defense Authorization Act for Fiscal Year 2000.

SEC. 22. RELATIONSHIP TO MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2012.

Nothing in this Act shall be construed to limit, restrict, or circumvent in any way the implementation of the nationwide public safety broadband network defined in section 6001 of title VI of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401) or any rules implementing that network under title VI of that Act (47 U.S.C. 1401 et seq.).

Mr. WICKER. Mr. President, I ask unanimous consent that the committee-reported substitute amendment be agreed to; the bill, as amended, be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 19), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

IMPROVING RURAL CALL QUALITY AND RELIABILITY ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 19, S. 96.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 96) to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

There being no objection, the Senate proceeded to consider the bill.

Mr. WICKER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 96) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 96

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Rural Call Quality and Reliability Act of 2017”.

SEC. 2. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

Part II of title II of the Communications Act of 1934 (47 U.S.C. 251 et seq.) is amended by adding at the end the following:

“SEC. 262. ENSURING THE INTEGRITY OF VOICE COMMUNICATIONS.

“(a) **REGISTRATION AND COMPLIANCE BY INTERMEDIATE PROVIDERS.**—An intermediate provider that offers or holds itself out as offering the capability to transmit covered

voice communications from one destination to another and that charges any rate to any other entity (including an affiliated entity) for the transmission shall—

“(1) register with the Commission; and

“(2) comply with the service quality standards for such transmission to be established by the Commission under subsection (c)(1)(B).

“(b) **REQUIRED USE OF REGISTERED INTERMEDIATE PROVIDERS.**—A covered provider may not use an intermediate provider to transmit covered voice communications unless such intermediate provider is registered under subsection (a)(1).

“(c) **COMMISSION RULES.**—

“(1) **IN GENERAL.**—

“(A) **REGISTRY.**—Not later than 180 days after the date of enactment of this section, the Commission shall promulgate rules to establish a registry to record registrations under subsection (a)(1).

“(B) **SERVICE QUALITY STANDARDS.**—Not later than 1 year after the date of enactment of this section, the Commission shall promulgate rules to establish service quality standards for the transmission of covered voice communications by intermediate providers.

“(2) **REQUIREMENTS.**—In promulgating the rules required by paragraph (1), the Commission shall—

“(A) ensure the integrity of the transmission of covered voice communications to all customers in the United States; and

“(B) prevent unjust or unreasonable discrimination among areas of the United States in the delivery of covered voice communications.

“(d) **PUBLIC AVAILABILITY OF REGISTRY.**—The Commission shall make the registry established under subsection (c)(1)(A) publicly available on the website of the Commission.

“(e) **SCOPE OF APPLICATION.**—The requirements of this section shall apply regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to affect the regulatory classification of any communication or service.

“(g) **EFFECT ON OTHER LAWS.**—Nothing in this section shall be construed to preempt or expand the authority of a State public utility commission or other relevant State agency to collect data, or investigate and enforce State law and regulations, regarding the completion of intrastate voice communications, regardless of the format by which any communication or service is provided, the protocol or format by which the transmission of such communication or service is achieved, or the regulatory classification of such communication or service.

“(h) **EXCEPTION.**—The requirement under subsection (a)(2) to comply with the service quality standards established under subsection (c)(1)(B) shall not apply to a covered provider that—

“(1) on or before the date that is 1 year after the date of enactment of this section, has certified as a Safe Harbor provider under section 64.2107(a) of title 47, Code of Federal Regulations, or any successor regulation; and

“(2) continues to meet the requirements under such section 64.2107(a).

“(i) **DEFINITIONS.**—In this section:

“(1) **COVERED PROVIDER.**—The term ‘covered provider’ has the meaning given the term in section 64.2101 of title 47, Code of Federal Regulations, or any successor thereto.

“(2) **COVERED VOICE COMMUNICATION.**—The term ‘covered voice communication’ means a

voice communication (including any related signaling information) that is generated—

“(A) from the placement of a call from a connection using a North American Numbering Plan resource or a call placed to a connection using such a numbering resource; and

“(B) through any service provided by a covered provider.

“(3) INTERMEDIATE PROVIDER.—The term ‘intermediate provider’ means any entity that—

“(A) enters into a business arrangement with a covered provider or other intermediate provider for the specific purpose of carrying, routing, or transmitting voice traffic that is generated from the placement of a call placed—

“(i) from an end user connection using a North American Numbering Plan resource; or

“(ii) to an end user connection using such a numbering resource; and

“(B) does not itself, either directly or in conjunction with an affiliate, serve as a covered provider in the context of originating or terminating a given call.”.

FEDERAL COMMUNICATIONS COMMISSION CONSOLIDATED REPORTING ACT OF 2017

Mr. WICKER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 77, S. 174.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 174) to amend the Communications Act of 1934 to consolidate the reporting obligations of the Federal Communications Commission in order to improve congressional oversight and reduce reporting burdens.

There being no objection, the Senate proceeded to consider the bill.

Mr. WICKER. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 174) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 174

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Communications Commission Consolidated Reporting Act of 2017”.

SEC. 2. COMMUNICATIONS MARKETPLACE REPORT.

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

“SEC. 13. COMMUNICATIONS MARKETPLACE REPORT.

“(a) IN GENERAL.—In the last quarter of every even-numbered year, the Commission shall publish on its website and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the state of the communications marketplace.

“(b) CONTENTS.—Each report required under subsection (a) shall—

“(1) assess the state of competition in the communications marketplace, including competition to deliver voice, video, audio, and data services among providers of telecommunications, providers of commercial mobile service (as defined in section 332), multichannel video programming distributors (as defined in section 602), broadcast stations, providers of satellite communications, Internet service providers, and other providers of communications services;

“(2) assess the state of deployment of communications capabilities, including advanced telecommunications capability (as defined in section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302)), regardless of the technology used for such deployment;

“(3) assess whether laws, regulations, regulatory practices, or demonstrated marketplace practices pose a barrier to competitive entry into the communications marketplace or to the competitive expansion of existing providers of communications services; and

“(4) describe the agenda of the Commission for the next 2-year period for addressing the challenges and opportunities in the communications marketplace that were identified through the assessments under paragraphs (1) through (3).

“(c) EXTENSION.—If the Senate confirms the Chairman of the Commission during the third or fourth quarter of an even-numbered year, the report required under subsection (a) may be published on the website of the Commission and submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate by March 1 of the following odd-numbered year.

“(d) SPECIAL REQUIREMENTS.—

“(1) ASSESSING COMPETITION.—In assessing the state of competition under subsection (b)(1), the Commission shall consider all forms of competition, including the effect of intermodal competition, facilities-based competition, and competition from new and emergent communications services, including the provision of content and communications using the Internet.

“(2) ASSESSING DEPLOYMENT.—In assessing the state of deployment under subsection (b)(2), the Commission shall include a list of geographical areas that are not served by any provider of advanced telecommunications capability.

“(3) CONSIDERING SMALL BUSINESSES.—In assessing the state of competition under subsection (b)(1) and barriers under subsection (b)(3), the Commission shall consider market entry barriers for entrepreneurs and other small businesses in the communications marketplace in accordance with the national policy under section 257(b).

“(e) NOTIFICATION OF DELAY IN REPORT.—If the Commission fails to publish a report by the applicable deadline under subsection (a) or (c), the Commission shall, not later than 7 days after the deadline and every 60 days thereafter until the publication of the report—

“(1) provide notification of the delay by letter to the chairperson and ranking member of—

“(A) the Committee on Energy and Commerce of the House of Representatives; and

“(B) the Committee on Commerce, Science, and Transportation of the Senate;

“(2) indicate in the letter the date on which the Commission anticipates the report will be published; and

“(3) publish the letter on the website of the Commission.”.

SEC. 3. CONSOLIDATION OF REDUNDANT REPORTS; CONFORMING AMENDMENTS.

(a) ORBIT ACT REPORT.—Section 646 of the Communications Satellite Act of 1962 (47 U.S.C. 765e) is repealed.

(b) SATELLITE COMPETITION REPORT.—Section 4 of Public Law 109-34 (47 U.S.C. 703) is repealed.

(c) INTERNATIONAL BROADBAND DATA REPORT.—Section 103(b)(1) of the Broadband Data Improvement Act (47 U.S.C. 1303(b)(1)) is amended by striking “the assessment and report” and all that follows through “the Federal Communications Commission” and inserting “its report under section 13 of the Communications Act of 1934, the Federal Communications Commission”.

(d) STATUS OF COMPETITION IN THE MARKET FOR THE DELIVERY OF VIDEO PROGRAMMING REPORT.—Section 628 of the Communications Act of 1934 (47 U.S.C. 548) is amended—

(1) by striking subsection (g);

(2) by redesignating subsection (j) as subsection (g); and

(3) by transferring subsection (g) (as redesignated) so that it appears after subsection (f).

(e) REPORT ON CABLE INDUSTRY PRICES.—Section 623(k) of the Communications Act of 1934 (47 U.S.C. 543(k)) is amended—

(1) in paragraph (1), by striking “annually publish” and inserting “publish with its report under section 13 of the Communications Act of 1934”; and

(2) in paragraph (2), in the heading, by striking “ANNUAL”.

(f) TRIENNIAL REPORT IDENTIFYING AND ELIMINATING MARKET ENTRY BARRIERS FOR ENTREPRENEURS AND OTHER SMALL BUSINESSES.—Section 257 of the Communications Act of 1934 (47 U.S.C. 257) is amended by striking subsection (c).

(g) STATE OF COMPETITIVE MARKET CONDITIONS WITH RESPECT TO COMMERCIAL MOBILE RADIO SERVICES.—Section 332(c)(1)(C) of the Communications Act of 1934 (47 U.S.C. 332(c)(1)(C)) is amended by striking the first and second sentences.

(h) PREVIOUSLY ELIMINATED ANNUAL REPORT.—

(1) IN GENERAL.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended—

(A) by striking subsection (k); and

(B) by redesignating subsections (l) through (o) as subsections (k) through (n), respectively.

(2) CONFORMING AMENDMENTS.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 9(i), by striking “In the Commission’s annual report, the Commission shall prepare an analysis of its progress in developing such systems and” and inserting “The Commission”; and

(B) in section 309(j)(8)(B), by striking the last sentence.

(i) ADDITIONAL OUTDATED REPORTS.—

(1) IN GENERAL.—The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended—

(A) in section 4—

(i) in subsection (b)(2)(B)(ii), by striking “and shall furnish notice of such action” and all that follows through “subject of the waiver”; and

(ii) in subsection (g)—

(I) by striking paragraph (2); and

(II) by redesignating paragraph (3) as paragraph (2);

(B) in section 215—

(i) by striking subsection (b); and

(ii) by redesignating subsection (c) as subsection (b);

(C) in section 227(e)—

(i) by striking paragraph (4); and

(ii) by redesignating paragraphs (5) through (9) as paragraphs (4) through (8), respectively;

(D) in section 303(u)(1)(B), by striking “section 713(f)” and inserting “section 713(e)”;

(E) in section 309(j)—

(i) by striking paragraph (12);